

APPEAL

**U.S. Bankruptcy Court
Eastern District of New York (Central Islip)
Adversary Proceeding #: 8–20–08049–ast**

Assigned to: Judge Alan S. Trust
Lead BK Case: 18–71748
Lead BK Title: Orion Healthcorp, Inc. and Allied World
National Assurance Co.
Lead BK Chapter: 11
Demand: \$4020000

Date Filed: 03/13/20

Nature[s] of Suit: 12 Recovery of money/property – 547 preference
13 Recovery of money/property – 548 fraudulent transfer
14 Recovery of money/property – other

Plaintiff

**Howard M Ehrenberg, in his capacity as
Liquidating Trustee of Orion Healthcorp,
Inc., et al**

represented by **Jeffrey P Nolan**
Pachulski Stang Ziehl & Jones LLP
780 Third Avenue
34th Floor
New York, NY 10017
310–772–2313
Fax : 310–201–0760
Email: jnolan@pszjlaw.com

Jeffrey Norlan
Pachulski Stang Ziehl & Jones LLP
780 Third Avenue
34th Floor
New York, NY 10017
LEAD ATTORNEY

Ilan D Scharf
Pachulski Stang Ziehl & Jones LLP
780 Third Avenue
36th Floor
New York, NY 10017
(212) 561–7721
Fax : (212) 561–7777
Email: ischarf@pszjlaw.com
LEAD ATTORNEY

V.

Defendant

Arvind Walia

represented by **Paris Gyparakis**
Porzio, Bromberg & Newman, P.C.
1675 Broadway, Ste 1810
New York, NY 10019
212–265–6888

Fax : 212-957-3983
 Email: pgyparakis@pbnlaw.com

Christine McCabe
 Christine McCabe
 4609 Bedford Blvd.
 Wilmington, DE 19803
 302-354-2166
 Email: cmccabe@rosenpc.com

Sanford P Rosen
 Rosen & Associates, P.C.
 747 Third Avenue
 New York, NY 10017-2803
 (212) 223-1100
 Fax : (212) 223-1102
 Email: srosen@rosenpc.com

Eugene Ronald Scheiman
 The Law Office of Eugene R. Scheiman
 17 State Street
 Ste Floor 40
 New York, NY 10004
 212-594-7563
 Email: eugene.scheiman@scheimanlaw.com

Defendant

Niknim Management Inc.

represented by **Paris Gyparakis**
 (See above for address)

Sanford P Rosen
 (See above for address)

Eugene Ronald Scheiman
 (See above for address)

Filing Date	#	Docket Text
04/03/2025	<u>157</u>	Judgment against Defendants Arvind Walia and Niknim Management Inc. ORDERED AND ADJUDGED that Plaintiff recover the following: Judgment is hereby entered against Defendants, Arvind Walia, and NIKNIM Management, Inc., jointly and individually, and in favor of Plaintiff, Howard M Ehrenberg, the duly appointed Liquidating Trustee for Orion Healthcorp., Inc., in the amount of \$1,520,000 in principal plus costs of suit of \$350.00 and prejudgment interest, calculated from the date of the filing of the Complaint on March 13, 2020, to judgment, (1,831 days) calculated in accordance with New York State Law at 9% simple interest in the amount of \$686,248.76, for a total judgment of \$2,206,598.76. Post-judgment interest shall accrue and be payable by Defendants, Arvind Walia and NIKNIM Management, Inc., jointly and individually at the prevailing federal rate pursuant to 28 U.S.C. § 1961(a) from the date of entry of this Judgment to the date the amount is paid in full (RE: related document(s) <u>153</u> Order). Signed on 4/3/2025 (dnb) (Entered: 04/04/2025)
04/10/2025	<u>159</u>	Notice of Appeal to District Court. <i>Joint Notice of Appeal of Defendants Arvind Walia & Niknim Management Inc.</i> . Fee Amount \$298 Filed by Christine McCabe on behalf of Arvind Walia, Niknim Management Inc. (RE: related document(s) <u>157</u> Judgment). Appellant Designation due by

			04/24/2025. Transmission of Designation to District Court Due by 05/12/2025. (Attachments: # <u>1</u> Order and Judgment)(McCabe, Christine) (Entered: 04/10/2025)
04/10/2025		<u>160</u>	Civil Cover Sheet Filed by Christine McCabe on behalf of Arvind Walia, Niknim Management Inc. (RE: related document(s) <u>159</u> Notice of Appeal filed by Defendant Arvind Walia). (McCabe, Christine) (Entered: 04/10/2025)
04/11/2025		<u>161</u>	Notice to Parties of Requirements, Deadlines (RE: related document(s) <u>159</u> Notice of Appeal filed by Defendant Arvind Walia, Defendant Niknim Management Inc.) (one) (Entered: 04/11/2025)

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re:

ORION HEALTHCORP, INC.,¹

Debtor.

Chapter 11

Case No. 18-71748-(AST)

HOWARD M. EHRENBERG IN HIS CAPACITY
AS LIQUIDATING TRUSTEE OF ORION
HEALTHCORP, INC., ET AL.,

Plaintiff,

- against -

ARVIND WALIA; NIKNIM MANAGEMENT,
INC.,

Defendant.

Adversary Proc. No. 20-08049-(AST)

JUDGEMENT AGAINST ARVIND WALIA AND NIKNIM MANAGEMENT, INC.

The Court having called this adversary for the duly scheduled ruling conference on November 20, 2024, (the “Ruling Conference”) following the trial conducted on July 24, 2024, and the Court having considered the evidence submitted by the parties and issued its order related thereto, judgment is hereby entered against Arvind Walia and NIKNIM Management,

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Orion Healthcorp, Inc. (7246); Constellation Healthcare Technologies, Inc. (0135); NEMS Acquisition, LLC (7378); Northeast Medical Solutions, LLC (2703); NEMS West Virginia, LLC (unknown); Physicians Practice Plus Holdings, LLC (6100); Physicians Practice Plus, LLC (4122); Medical Billing Services, Inc. (2971); Rand Medical Billing, Inc. (7887); RMI Physician Services Corporation (7239); Western Skies Practice Management, Inc. (1904); Integrated Physician Solutions, Inc. (0543); NYNM Acquisition, LLC (unknown) Northstar FHA, LLC (unknown); Northstar First Health, LLC (unknown); Vachette Business Services, Ltd. (4672); Phoenix Health, LLC (0856); MDRX Medical Billing, LLC (5410); VEGA Medical Professionals, LLC (1055); Allegiance Consulting Associates, LLC (7291); Allegiance Billing & Consulting, LLC (7141); New York Network Management, LLC (7168). The corporate headquarters and the mailing address for the Debtors listed above is 1715 Route 35 North, Suite 303, Middletown, NJ 07748


Inc., jointly and individually, in favor of the Plaintiff, Howard M. Ehrenberg, In His Capacity As Liquidating Trustee Of Orion Healthcorp, Inc., as follows:

IT IS HEREBY ORDERED AND ADJUDGED that Plaintiff recover the following:

1. Judgment is hereby entered against Defendants, Arvind Walia, and NIKNIM Management, Inc., jointly and individually, and in favor of Plaintiff, Howard M Ehrenberg, the duly appointed Liquidating Trustee for Orion Healthcorp., Inc., in the amount of \$1,520,000 in principal plus costs of suit of \$350.00 and prejudgment interest, calculated from the date of the filing of the Complaint on March 13, 2020, to judgment, (1,831 days) calculated in accordance with New York State Law at 9% simple interest in the amount of \$686,248.76, for a total judgment of \$2,206,598.76.
2. Post-judgment interest shall accrue and be payable by Defendants, Arvind Walia and NIKNIM Management, Inc., jointly and individually at the prevailing federal rate pursuant to 28 U.S.C. § 1961(a) from the date of entry of this Judgment to the date the amount is paid in full.

Dated: April 3, 2025
Central Islip, New York




Alan S. Trust
Chief United States Bankruptcy Judge

Notice Recipients

District/Off: 0207-8

User: admin

Date Created: 4/4/2025

Case: 8-20-08049-ast

Form ID: pdf000

Total: 6

Recipients of Notice of Electronic Filing:

aty	Eugene Ronald Scheiman	eugene.scheiman@scheimanlaw.com
aty	Paris Gyparakis	pgyparakis@pbnlaw.com
aty	Sanford P Rosen	srosen@rosenpc.com

TOTAL: 3

Recipients submitted to the BNC (Bankruptcy Noticing Center):

ust	United States Trustee	Long Island Federal Courthouse	560 Federal Plaza – Room 560	Central Islip,
	NY 11722-4437 USA			
10129404	Arvind Walia	C/O The Law Office of Eugene R. Scheiman	570 Lexington Avenue, Suite 1600	New
	York, New York 10022			
10129405	Niknim Management Inc.	C/O The Law Office of Eugene R. Scheiman	570 Lexington Avenue, Suite	
	1600	New York, New York 10022		

TOTAL: 3

Official Form 417A (12/23)

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

In re:

ORION HEALTHCORP, INC. *et al.*,

Debtors.

Chapter 11

Case No. 18-71748 (AST)

HOWARD M. EHRENBURG, IN HIS CAPACITY
AS LIQUIDATING TRUSTEE OF ORION
HEALTHCORP, INC., ET AL.,

Plaintiff,

Adv. Proc. No. 20-08049 (AST)

v.

ARVIND WALIA; NIKNIM MANAGEMENT INC.,

Defendants.

NOTICE OF APPEAL AND STATEMENT OF ELECTION

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s): Arvind Walia and Niknim Management Inc.
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

☐ Plaintiff☒ Defendants☐ Other (describe) _____For appeals in a bankruptcy case and not
in an adversary proceeding.☐ Debtor☐ Creditor☐ Trustee☐ Other (describe) _____

Part 2: Identify the subject of this appeal

1. Describe the judgment—or the appealable order or decree—from which the appeal is taken:
 - a. Judgment against Defendants Arvind Walia and Niknim Management Inc.
ORDERED AND ADJUDGED that Plaintiff recover the following: Judgment is hereby entered against Defendants, Arvind Walia, and NIKNIM Management, Inc., jointly and individually, and in favor of Plaintiff, Howard M Ehrenberg, the duly

appointed Liquidating Trustee for Orion Healthcorp., Inc., in the amount of \$1,520,000 in principal plus costs of suit of \$350.00 and prejudgment interest, calculated from the date of the filing of the Complaint on March 13, 2020, to judgment, (1,831 days) calculated in accordance with New York State Law at 9% simple interest in the amount of \$686,248.76, for a total judgment of \$2,206,598.76. Post-judgment interest shall accrue and be payable by Defendants, Arvind Walia and NIKNIM Management, Inc., jointly and individually at the prevailing federal rate pursuant to 28 U.S.C. § 1961(a) from the date of entry of this Judgment to the date the amount is paid in full [Doc. No. 157], a copy of which is annexed hereto.

2. State the date on which the judgment—or the appealable order or decree—was entered:
April 3, 2025

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment—or the appealable order or decree—from which the appeal is taken and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

Party	Attorney
1. Plaintiff: HOWARD M. EHRENBERG, IN HIS CAPACITY AS LIQUIDATING TRUSTEE OF ORION HEALTHCORP, INC., ET AL.	Jeffery P. Nolan, Esq. PACHULSKI STANG ZIEHL & JONES LLP 780 Third Avenue, 34 th Floor New York, NY 10017 Phone: (310) 772.2313 Email: jnolan@pszjlaw.com
2. Defendants: ARVIND WALIA and NIKNIM MANAGEMENT INC.	Sanford P. Rosen, Esq. ROSEN & ASSOCIATES, P.C. PO Box 1274 Shelter Island Heights, NY 11965 Phone: (212) 223-1100 Email: srosen@rosenpc.com Eugene R. Scheiman, Esq. LAW OFFICES OF EUGENE R. SCHEIMAN, PLLC 570 Lexington Avenue New York, NY 10022 Phone: (646) 280-9000 Email: eugene.scheiman@sheimanlaw.com

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

☐ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

5: Sign below

ROSEN & ASSOCIATES, P.C.

By: /s/ Sanford P. Rosen
Sanford P. Rosen

April 10, 2025

P.O. Box 1274
Shelter Island Heights, NY 11965
Telephone: (212) 223-1100

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

[Note to inmate filers: If you are an inmate filer in an institution and you seek the timing benefit of Fed. R. Bankr. P. 8002(c)(1), complete Director's Form 4170 (Declaration of Inmate Filing) and file that declaration along with the Notice of Appeal.]

CERTIFICATE OF SERVICE

I certify that on April 10, 2025, I caused a true and correct copy of the foregoing document to be served by the Court's CM/ECF notification system, which will send notice of electronic filing to all counsel of record.

/s/ Christine McCabe
Christine McCabe

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re:

ORION HEALTHCORP, INC.,¹

Debtor.

Chapter 11

Case No. 18-71748-(AST)

HOWARD M. EHRENBERG IN HIS CAPACITY
AS LIQUIDATING TRUSTEE OF ORION
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Plaintiff,

- against -

ARVIND WALIA; NIKNIM MANAGEMENT,
INC.,

Defendant.

Adversary Proc. No. 20-08049-(AST)

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Dated: April 3, 2025
Central Islip, New York




Alan S. Trust
Chief United States Bankruptcy Judge

Notice Recipients

District/Off: 0207-8
Case: 8-20-08049-ast

User: admin
Form ID: pdf000

Date Created: 4/4/2025
Total: 6

Recipients of Notice of Electronic Filing:

aty	Eugene Ronald Scheiman	eugene.scheiman@scheimanlaw.com
aty	Paris Gyparakis	pgyparakis@pbnlaw.com
aty	Sanford P Rosen	srosen@rosenpc.com

TOTAL: 3

Recipients submitted to the BNC (Bankruptcy Noticing Center):

ust	United States Trustee	Long Island Federal Courthouse	560 Federal Plaza – Room 560	Central Islip,
	NY 11722-4437 USA			
10129404	Arvind Walia	C/O The Law Office of Eugene R. Scheiman	570 Lexington Avenue, Suite 1600	New
	York, New York 10022			
10129405	Niknim Management Inc.	C/O The Law Office of Eugene R. Scheiman	570 Lexington Avenue, Suite	
	1600	New York, New York 10022		

TOTAL: 3

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

CIVIL COVER SHEET

This form is REQUIRED for the use of the Clerk of Court for the purpose of initiating the civil docket sheet.

IN RE: Bankruptcy Case No. 18-71748 (AST) Adv. Pro. No. *(if applicable)* 20-08049 (AST)

Bankruptcy Appeal

APPELLANTS

ARVIND WALIA and NIKNIM
MANAGEMENT INC.

ATTORNEYS (FIRM NAME, ADDRESS, TEL. NO.)

Sanford P. Rosen, Esq.
ROSEN & ASSOCIATES, P.C.
P.O. Box 1274
Shelter Island Heights, NY 11965
Phone: (212) 223-1100
Email: srosen@rosenpc.com

Eugene R. Scheiman, Esq.
**LAW OFFICES OF EUGENE R.
SCHEIMAN, PLLC**
570 Lexington Avenue
New York, NY 10022
Phone: (646) 280-9000
Email: eugene.scheiman@sheimanlaw.com

APPELLEES

HOWARD M. EHRENBERG, IN HIS CAPACITY
AS LIQUIDATING TRUSTEE OF
ORION HEALTHCORP, INC., ET AL.

ATTORNEYS (IF KNOWN)

Jeffery P. Nolan, Esq.
**PACHULSKI STANG ZIEHL &
JONES LLP**
780 Third Avenue, 34th Floor
New York, NY 10017
Phone: (310) 772.2313
Email: jnolan@pszjlaw.com

BASIS OF JURISDICTION: Federal Question

CAUSE OF ACTION - 28:1334 Bankruptcy Appeal *(Write brief statement of cause.)*

Appellants appeal from the Judgment of the United States Bankruptcy Court entered against Appellants Arvind Walia and Niknim Management Inc. [Doc. No. 157]

NATURE OF SUIT: 422 Bankruptcy Appeal (801)

RELATED CASE(S) IN DISTRICT COURT, IF ANY

DISTRICT JUDGE _____ DOCKET NUMBER _____

CIVIL CASES ARE DEEMED RELATED IF PENDING CASE INVOLVED:

1. PROPERTY ' INCLUDED IN AN EARLIER NUMBERED PENDING SUIT
2. SAME ISSUE OF FACT OR GROWS OUT OF THE SAME TRANSACTION
3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT COPYRIGHT OR TRADEMARK

Date: 04/10/2025 _____

Signature of Attorney of Record: /s/ Sanford P. Rosen
(or Appellant Pro Se)

FOR COURT USE ONLY

APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

CIVIL COVER SHEET, Bankruptcy Appeal (cont'd)

Did the cause of action arise in Nassau or Suffolk County? **Yes**

If YES, please indicate which county: Suffolk

I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court.

YES **Yes**

NO

Are you currently the subject of any disciplinary action(s) in this or any other state or federal court?

YES (If yes, please explain)

NO **No**

Please provide your bar code and e-mail address below. Your bar code consists of the initials of your first and last name and the last four digits of your social security number, or any other four-digit number registered by the attorney with the Clerk of Court. This information must be provided pursuant to local rule 11.1(b) of the local civil rules,

Attorney Bar Code: **19-23079**

E-Mail Address srosen@rosenpc.com

United States Bankruptcy Court

Eastern District of New York
290 Federal Plaza
Central Islip, NY 11722

IN RE:
Ehrenberg v. Arvind Walia et al

CASE NO: 8-20-08049-ast

NOTICE TO PARTIES CONCERNING APPEAL (ECF CASE)

A Notice of Appeal was filed on April 10, 2025, in the above case by Arvind Walia, Niknim Management Inc., regarding Judgment against Defendants Arvind Walia and Niknim Management Inc. dated April 3, 2025, document number 157.

Effective December 1, 2014, Part VIII of the Federal Rules of Bankruptcy Procedure governing bankruptcy appeals was substantially revised in order to align those rules with the Federal Rules of Appellate Procedure and updated to include electronic transmission, filing, and service.

This notice must be read together with the Federal Rules of Civil Procedure (FRCP), the Federal Rules of Bankruptcy Procedure (FRBP), the Local Rules of the Eastern District of New York, and this Court's Local Rules and Procedures.

1. **Service of Notice:** The appellant must provide the Clerk with the email address of each party to be served; to the extent that there are parties to the appeal who are not equipped to receive email notification, the appellant must provide the Clerk with the address for all parties to be served.
2. **Appellant's Designation:** Appellant's designation of record on appeal and statement of issues to be presented on appeal are due within fourteen (14) days from the date of the filing of the Notice of Appeal. The designation must include a list of items to be included in the record on appeal. A copy of the designation and statement shall be served by the appellant on the appellee. A certificate of service must be filed with the bankruptcy court as proof that proper service was made.
3. **Appellee's Designation:** Within fourteen (14) days after service of the appellant's designation and statement, the appellee may file with the bankruptcy court and serve on the appellant a designation of additional items to be included in the record on appeal.
4. **Transcripts:** If the record designated by any party includes a transcript of any proceeding or a part thereof, the party shall, immediately after filing the designation, call one of the court approved transcription service agencies to request a copy of a transcript. The written request for the transcript shall be filed with the bankruptcy court. The party requesting the transcript is responsible for the cost of transcription. Designated transcripts must be provided to this office in PDF format.
5. **ECF Registration (Attorneys Only):** Documents must be filed electronically relative to this matter, both in the Bankruptcy Court and, once the record has been transmitted, in the District Court. For information on ECF registration in the Bankruptcy Court, please visit: www.nyeb.uscourts.gov/electronic-filing-procedures; in the District Court, visit: <https://www.nyed.uscourts.gov/cmecf>.
6. **Transmittal of Record on Appeal:** Generally the record on appeal will be transmitted thirty (30) days from the date of the filing with the Court of the Notice of Appeal.

Dated: April 11, 2025

FOR THE COURT

By: O. Eichhorn

Deputy Clerk

Notice Recipients

District/Off: 0207-8

User: admin

Date Created: 4/11/2025

Case: 8-20-08049-ast

Form ID: 773

Total: 4

Recipients of Notice of Electronic Filing:

aty	Christine McCabe	cmccabe@rosenpc.com
aty	Ilan D Scharf	ischarf@pszjlaw.com
aty	Sanford P Rosen	srosen@rosenpc.com

TOTAL: 3

Recipients submitted to the BNC (Bankruptcy Noticing Center):

aty	Jeffrey Norlan	Pachulski Stang Ziehl & Jones LLP	780 Third Avenue	34th Floor	New York,
	NY 10017				

TOTAL: 1